

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Application of:

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Application No.: 10/046,341

Filed: October 29, 2001

For: SYSTEM AND METHOD FOR
LOCATING AND CAPTURING
DESIRED MEDIA CONTENT
FROM MEDIA BROADCASTS

Group Art Unit: 2445

Confirmation No. 2405

Examiner: BHATIA, Ajay

PROPOSED AMENDMENT

TO THE COMMISSIONER FOR PATENTS:

In response to the Examiner Interview of March 2, 2011 (hereinafter “Interview”), in the above-identified application (hereinafter “Application”), please accept the following.

Table of Contents

AMENDMENTS TO THE CLAIMS	2
REMARKS	7

AMENDMENTS TO THE CLAIMS

The listing of claims below will replace all prior versions and listings of claims in this application. Please amend the claims as follows:

Claim 1 (Currently Amended): A method for a media agent to monitor multiple broadcast transmissions, each broadcast transmission composed of streaming audio data containing media content, comprising:

identifying the broadcast transmission to be monitored;

establishing connections with the identified broadcast transmissions

identifying, for each connected broadcast transmission, at least one characteristic of the media content associated with the connected broadcast transmission through a statistical pattern recognition scheme, without the need for the media content to include a unique identifier that is derived from, inserted or embedded in the media content, wherein the statistical pattern recognition scheme is accomplished through an historical analysis of the media content associated with the connected broadcast transmission; and

maintaining the association between the identified at least one characteristic of the media content and the connected broadcast transmission;

receiving a selection of one of the at least one characteristic of the media content from among all the at least one characteristic of the media contents; and

causing a user to receive the broadcast transmission associated with the selected at least one characteristic of the media content.

Claim 2 (Canceled).

Claim 3 (Currently Amended): The method of ~~claim 2~~claim 1, wherein the broadcast transmissions are transmitted over the Internet.

Claim 4 (Canceled).

Claim 5 (Currently Amended): The method of ~~claim 4~~claim 1, wherein the pattern recognition scheme examines the audio portion of the media content.

Claim 6 (Canceled).

Claim 7 (Original): The method of claim 1, further comprising:

terminating the connection to the identified broadcast transmissions after the step of identifying the at least one characteristic of the media content is complete; and

wherein the step of establishing connections with the identified broadcast transmissions is not performed simultaneously for all broadcast transmissions.

Claim 8 (Original): The method of claim 7, further comprising:

re-establishing, when a transition in media content is expected, connections to the identified broadcast transmissions whose connections were terminated.

Claim 9 (Original): The method of claim 8, wherein the expected transition in media content is based on a duration of the media content.

Claim 10 (Original): The method of claim 1, further comprising:

presenting the at least one characteristic of the media content to a user for each connected broadcast transmission.

Claim 11 (Currently Amended) The method of ~~claim 7~~ claim 10, further comprising: ~~receiving a~~ wherein the selection of one of the at least one characteristic of the media content is selected by the user and/or received from the user from among all the at least one ~~characteristic of the media contents presented to the user; and~~ causing the user to receive the broadcast transmission associated with the selected at least one characteristic of the media content.

Claim 12 (Original): The method of claim 1, wherein the at least one characteristic of the media content is a musical genre.

Claim 13 (Original): The method of claim 1, wherein the at least one characteristic of the media content is a title of a song.

Claim 14 (Original): The method of claim 1, wherein the at least one characteristic of the media content is a name of an artist.

Claim 15 (Original): The method of claim 1, further comprising:

receiving preferred media content parameters from a user.

Claim 16 (Original): The method of claim 11, further comprising:

determining whether the at least one characteristic of the media content associated with each connected broadcast transmission is within the preferred media content parameters; and

presenting a notification to the user when the at least one characteristic of the media content associated with each connected broadcast transmission is determined to be within the preferred media content parameters.

Claim 17 (Original): The method of claim 11, further comprising:

determining whether the at least one characteristic of the media content associated with each connected broadcast transmission is within the preferred media content parameters; and

causing the user to receive the broadcast transmission associated with the certain type of characteristic when the at least one characteristic of the media content associated with each connected broadcast transmission is determined to be within the preferred media content parameters.

Claim 18 (Original): The method of claim 11, further comprising:

determining whether the at least one characteristic of the media content associated with each connected broadcast transmission is within the preferred media content parameters; and

recording the broadcast transmission associated with the certain type of characteristic when the at least one characteristic of the media content associated with each connected broadcast transmission is determined to be within the preferred media content parameters.

Claim 19 (Original): The method of claim 18, wherein recording the broadcast transmission is performed for the purpose of time-shifting.

Claim 20 (Original): The method of claim 11, further comprising:

accessing a pre-determined set of broadcast transmissions from an advisor database where each pre-determined broadcast transmission is associated with a classification;

wherein the step of identifying the broadcast transmissions to be monitored is accomplished through an analysis of the classifications associated with the set of predetermined broadcast transmissions and the preferred media content parameters.

Claim 21 (Previously Presented): The method of claim 15, wherein the statistical pattern recognition scheme is accomplished through a historical analysis of characteristics of media content associated with the identified broadcast transmission.

Claim 22 (Currently Amended): A method comprising the steps of:

selecting by a media advisor server a group of broadcast transmissions, composed of streaming audio data, to be monitored, each broadcast transmission containing media content; and

repeating by a media advisor server, for each broadcast ~~transmission~~transmissions in the group of broadcast transmissions, the steps of establishing a connection to the broadcast transmissions; and identifying characteristics of the media content contained in the connected broadcast transmissions through an analysis of the connected broadcast transmissions without the need for the media content to include a unique identifier that is derived from, inserted or embedded in the media content, the analysis including a statistical pattern recognition scheme that is accomplished through an historical analysis of the media content associated with the connected broadcast transmission; and

upon repeating the steps of establishing and identifying for all broadcast transmissions in the group, receiving by a media agent a selection by the media advisor server of at least one characteristic of the media content from among all the characteristics of the media contents and causing a user by the media agent to receive the broadcast transmission associated with the selected at least one characteristic of the media content.

Claim 23 (Original): The method of claim 17, further comprising:

presenting the identified characteristics of the media contents to a user.

Claim 24 (Original): The method of claim 18, further comprising:

receiving from the user a selection from among the identified characteristics of the media contents presented to the user; and

causing the user to receive the broadcast transmission that is associated with the selection.

Claim 25 (Original): The method of claim 17, further comprising:

receiving from the user a selection of preferred media content parameters;
determining whether the identified characteristics of each media content is within the preferred media content parameters; and

notifying the user when the identified characteristics of a media content is identified as being contained in a broadcast transmission within the group of broadcast transmissions.

Claim 26 (Currently Amended): A media agent comprising:
a user interface for a user to identify, either directly or indirectly, a plurality of broadcast transmissions composed of streaming audio data;
a network interface for receiving the plurality of identified broadcast transmissions from a network;
a media decoder for decoding each broadcast transmission received from the network;
and
a monitoring module for identifying at least one characteristic of the media content of the decoded broadcast transmission through a statistical pattern recognition scheme without the need for the media content to include a unique identifier that is derived from, inserted or embedded in the media content, wherein the statistical pattern recognition scheme is accomplished through an historical analysis of the media content associated with the connected broadcast transmission;
the user interface obtaining from the user a selection of one of the at least one characteristic of the media content from among all the at least one characteristic of the media contents; and
the network interface receiving the broadcast transmission associated with the selected at least one characteristic of the media content.

Claim 27 (Original): The media agent of claim 26, wherein:
the user interface presents the at least one characteristic of the decoded broadcast transmission to the user.

Claim 28 (Original): The media agent of claim 26, wherein the monitoring module is additionally for associating the identified at least one characteristic of the media content with the broadcast transmission received from the network.

REMARKS

Applicant respectfully thanks Examiner Bhatia for the recent teleconferences. Applicants have amended the claims in accordance with the Examiner's suggestions and believe that they are now in immediate condition for allowance.

Current Claim Status

Claims 1, 3, 5, and 7-28 are pending. Claims 1, 3, 5, 11, 22, and 26 have now been amended. Claims 2, 4, and 6 are canceled. In the last Office Action, dated July 22, 2010, the claims were evaluated in the following manner:

1. Previously Claims 1-5 and 7-28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bates' U.S. Patent No. 6,748,237 (hereinafter Bates) in view of Wang's US Published Patent Appl. No. 2004/0199387 (hereinafter Wang).

Applicants submitted a response to the last Office Action on October 22, 2010.

Allowable Subject Matter

Applicant respectfully thanks the Office and Examiner Bhatia, for identifying allowable subject matter, upon full consideration of Applicant's previous amendments and remarks. More specifically, Examiner Bhatia indicated that Claim 1 would be allowable if rewritten in independent form to incorporate the subject matter from Claims 2, 4, and 11.

Accordingly, Applicant has rewritten Claims 1, 22, and 26 into independent form incorporating the subject matter from Claims 2, 4, and 11 as directed by the Examiner and they are now in immediate condition for allowance. No new matter has been introduced as a result of these amendments.

Moreover, Claims 2, 4, and 6 have been canceled. Claims 3 and 5 were amended to avoid being dependent on a canceled claim. Claim 11 was amended to change dependency to claim 10 and to identify that the selection of "the at least one characteristic of the media content" is "selected by the user and/or received from the user" and should avoid a potential double patenting rejection since the original limitations of Claim 11 have been incorporated into Claim 1. It is believed that no new matter has been introduced as a result of these

amendments. As discussed further below, it is now believed that these rewritten claims are also immediately allowable.

Conclusion

Applicants respectfully submit that all pending claims are allowable and request that the Examiner permit these claims to proceed to issuance. The Examiner is respectfully requested to contact the undersigned at the telephone number below if there are any remaining questions regarding this application.

Respectfully submitted,
ÆON LAW

Date: March 7, 2011

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